

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

REGINALD DONELL RICE, JR.,  
TDCJ No. 2033891,

Petitioner,

V.

DIRECTOR, TDCJ-CID,

Respondent.

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No. 3:23-cv-2483-N-BN

**ORDER WITHDRAWING SUCCESSIVENESS FINDINGS,  
CONCLUSIONS, AND RECOMMENDATION**

Petitioner Reginald Donell Rice filed a *pro se* application for a writ of habeas corpus under 28 U.S.C. § 2254 including a claim that a state court violated his due process rights by denying his request for postconviction DNA testing. *See* Dkt. Nos. 1 & 2. Chief United States District Judge David C. Godbey referred Rice's Section 2254 petition to the undersigned United States magistrate judge for pretrial management under 28 U.S.C. § 636(b) and a standing order of reference. And the undersigned entered findings of fact and conclusions of law recommending that the Court dismiss the application without prejudice because it is an unauthorized successive petition [Dkt. No. 5] (the "Successiveness FCR"). Rice objected. *See* Dkt. No. 7. And, after reviewing his objections, the undersigned WITHDRAWS the Successiveness FCR.

SO ORDERED.

DATED: December 15, 2023



DAVID L. HORAN  
UNITED STATES MAGISTRATE JUDGE